



U.S. Department of Justice

United States Attorney
Southern District of New York

The Jacob K. Javits Federal Building
26 Federal Plaza, 38th Floor
New York, New York 10278

June 3, 2025

BY ECF

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Rubin Moye*, S3 20 Cr. 215 (JPO)

Dear Judge Oetken,

The Government writes—with the defense’s consent—to respectfully request that the status conference in this matter, currently scheduled for June 6, 2025, be adjourned to a date at the Court’s convenience after July 14, 2025.

To date, the Government has made two very voluminous productions of discovery to the defense, and it anticipates a third production of law enforcement material, as well as transmission of two letters and attachments disclosing certain witness statements relevant to the charges in this case. In addition, the Government has informed defense counsel that the Department of Justice’s Capital Case Section (“CCS”) wishes to meet with counsel as part of its re-review of the decision whether or not to seek the death penalty in this case, which is being conducted pursuant to the February 5, 2025 Attorney General Memorandum: *Reviving the Federal Death Penalty and Lifting the Moratorium on Federal Executions* (at page 3). That CCS meeting has been scheduled for July 14, 2025.

The Government also respectfully requests that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), from June 6, 2025 through the new conference date, because the ends of justice served by such an exclusion outweigh the interests of the public and defendant in a speedy trial. In particular, the time will allow the defense to continue reviewing the large volume of discovery already produced, as well as to receive and review additional materials and witness disclosures that the Government is continuing to assemble. In addition, it will afford the defense time to consider what, if any, pretrial motions to file, and to prepare for the meeting with CCS and any written materials they may wish to provide to the Government and/or CCS in connection with that re-review.

June 3, 2025

Page 2

As noted above, the defendant—through counsel, Anthony Ricco, Esq.—consents to the requested adjournment and exclusion of time.

Respectfully submitted,

JAY CLAYTON
United States Attorney
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cc: Anthony Ricco, Esere Onaodowan, and Christine Delince, Esqs., *counsel for defendant Rubin Moye* (by ECF)

Granted. The June 6, 2025 pretrial conference is adjourned to August 7, 2025 at 12:00 pm. The Court hereby excludes time through August 7, 2025, under the Speedy Trial Act, 18 USC 3161(h) (7)(A), finding that the ends of justice outweigh the interests of the public and the defendant in a speedy trial.

So ordered:
6/3/2025



J. PAUL OETKEN
United States District Judge